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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHEDRICK L. HENRY,
Petitioner,
v.
M. E. SPEARMAN,
Respondent.

Case No. 16-cv-04504-JD

**ORDER DIRECTING CLERK TO
FILE A NEW CASE**

This habeas case involves petitioner's 2014 conviction that occurred while he was in prison. The petition was stayed so petitioner could exhaust further claims. This case is currently stayed and closed. Petitioner sought authorization from the Ninth Circuit to file a successive petition involving a separate conviction from 1996. The Ninth Circuit granted petitioner's request and authorized a successive petition and on September 7, 2018, the Ninth Circuit opinion and related order were filed in this case. Docket Nos. 15, 16. Because the Ninth Circuit case involves an entirely separate conviction, it will be filed as a new habeas petition pursuant to the Ninth Circuit's instructions. Docket No. 16. This petition will remain stayed pursuant to the conditions previously set forth. Docket No. 14

For the foregoing reasons:

1. The Clerk shall file the new petition (Docket Nos. 15, 16) as a new habeas case that shall be assigned to the undersigned judge.

1 2. This habeas petition (No. 16-4504) remains stayed.
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IT IS SO ORDERED.

3 Dated: September 12, 2018
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JAMES DONATO
United States District Judge

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SHEDRICK L. HENRY,
Plaintiff,
v.
M. E. SPEARMAN,
Defendant.

Case No. 16-cv-04504-JD

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 12, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Shedrick L. Henry
High Desert State Prison
K-16736
P.O. Box 3030
Susanville, CA 96127

Dated: September 12, 2018

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO